

## **REMARKS**

This is intended as a full and complete response to the Office Action dated June 11, 2009. Please reconsider the claims pending in the application for the reasons discussed below.

Claims 11, 12, and 14 - 20 are pending in the application. The elements of (currently cancelled) dependent claim 13 have been incorporated into independent claim 11. No new matter has been added.

### **Claim Rejections Under 35 U.S.C. § 102**

Claims 11 and 12 stand rejected under 35 U.S.C. 102(b) as being anticipated by Imamura et al. '332. Applicants respectfully submit that claims 11 and 12 are not anticipated by Imamura et al. '332.

Claim 11 has been amended to incorporate the elements of claim 13 (currently cancelled). The requirements of claim 11, as currently amended, are not found in Imamura et al. '332. Therefore, claim 11 is believed to be allowable, and allowance of the claim is respectfully requested. Claim 12, which is dependent upon claim 11, is likewise unanticipated by Imamura et al. '332.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 14 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kutscher et al. '605. Applicants respectfully submit that claims 14 and 15 are not unpatentable over Kutscher et al. '605

Claim 11 has been amended to incorporate the elements of claim 13 (currently cancelled). The requirements of claim 11, as currently amended, are not found in Imamura et al. '332. Kutscher et al. '605 does not cure the deficiencies of Imamura et al. '332. Claims 14 and 15 depend upon claim 11, contain all of the limitations of claim 11, and should be allowable for at least the same reasons as claim 11. Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Claims 16 - 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. in view of Schwarz et al. '433 and Kutscher et al. '605.. Applicants respectfully submit that claims 16 – 19 are not unpatentable over Wagner et al. in view of Schwarz et al. '433 and Kutscher et al. '605

Claim 11 has been amended to incorporate the elements of claim 13 (currently cancelled). The requirements of claim 11, as currently amended, are not found in Imamura et al. '332. Neither Kutscher et al. '605, Schwarz et al. '433, nor Wagner et al. cure the deficiencies of Imamura et al. '332. Claims 16 - 19 depend upon claim 11, contain all of the limitations of claim 11, and should be allowable for at least the same reasons as claim 11. Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. in view of Schwarz et al. '433 and Kutscher et al. '605 and further in view of Bruder et al. '364. Applicants respectfully submit that claim 20 is not unpatentable over Wagner et al. in view of Schwarz et al. '433 and Kutscher et al. '605 and further in view of Bruder et al. '364.

Claim 11 has been amended to incorporate the elements of claim 13 (currently cancelled). The requirements of claim 11, as currently amended, are not found in Imamura et al. '332. Neither Kutscher et al. '605, Schwarz et al. '433, Wagner et al., nor Bruder et al. '364 cure the deficiencies of Imamura et al. '332. Claim 20 depends upon claim 11, contain all of the limitations of claim 11, and should be allowable for at least the same reasons as claim 11. Therefore, the claim is believed to be allowable, and allowance of the claim is respectfully requested.

## CONCLUSION

Correction to the signature has been made. Accordingly, in complete response to the Notice of Non-Compliant Amendment dated October 9, 2009, Applicants respectfully request reconsideration of the present application.

It is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

Date: **October 21, 2009**

/Elwood Haynes/  
Elwood Haynes, Reg. No. 55,254

Air Liquide US, LLC  
2700 Post Oak Blvd., 18<sup>th</sup> Floor  
Houston, TX 77056  
Phone: 713-624-8954  
Fax: 713-624-8950